

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOAQUIN ECHABARRIA,
Plaintiff,
v.
PPG INDUSTRIES, INC.,
Defendant.

Case No. 1:23-cv-01634-JLT-CDB

ORDER DISCHARGING FEBRUARY 14,
2024, ORDER TO SHOW CAUSE

On February 14, 2024, the Court issued an order to show cause why sanctions should not be imposed for Plaintiff's failure to appear at the initial scheduling conference. (Doc. 14). On February 16, 2024, Counsel for Plaintiff filed a declaration in response to the Court's order to show cause. (Doc. 15). Counsel for Plaintiff represents he had technical issues that prevented him from logging-in and acknowledges he should have allowed more time to address any potential issues. *Id.*

To determine whether neglect is excusable, a court must consider four factors: "(1) the danger of prejudice to the opposing party; (2) the length of the delay and its potential impact on the proceedings; (3) the reason for the delay; and (4) whether the movant acted in good faith." *In re Veritas Software Corp. Sec. Litig.*, 496 F.3d 962, 973 (9th Cir. 2007).

The Court finds Counsel for Plaintiff's error noted above constitutes excusable neglect and finds good cause to discharge the show cause order.

1 Accordingly, IT IS HEREBY ORDERED, the Court's February 14, 2024, Order to Show
2 Cause is DISCHARGED.

3 IT IS SO ORDERED.

4 Dated: February 16, 2024


UNITED STATES MAGISTRATE JUDGE